

U.S. Patent Application No. 10/625,144
Reply to Office Action dated April 28, 2006

PATENT
450100-04654

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1, 5-7, 11-13, 17 and 18 are pending. Claims 1, 7 and 13 are independent. Claims 1, 5, 7, 11, 13 and 17 are hereby amended. Support for this amendment is provided throughout the Specification, specifically at pages 7-10. No new matter has been introduced by this amendment. Claims 2-4, 8-10 and 14-16 have been canceled without prejudice or disclaimer of subject matter. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which the Applicant is entitled.

Claims 5, 11 and 17 have been amended, thereby obviating the 35 U.S.C. §112, second paragraph rejections.

Claim 13 has been amended, thereby obviating the 35 U.S.C. §101 rejection.

II. REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 1-18 were rejected under 35 U.S.C. 103(a) as allegedly unpatentable over U.S. Patent No. 4,680,763 to Suma et al. (hereinafter, merely "Suma") in view of U.S. Patent No. 5,313,471 to Otaka et al. (hereinafter, merely "Otaka").

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Claim 1 recites, *inter alia*:

"A data processing apparatus comprising:

...first control means for controlling the reproduction of said first data;

second control means for controlling the reproduction of said second data,

wherein said first control means controls the reproduction of said first data in response to the reproduction of said second data controlled by said second control means,

wherein, if no error is found on said first data, said error concealment means selectively outputs said first data and, if an error is found on said first data, selectively outputs said second data, and

wherein said first data is video data and said second data is video data obtained by lowering the resolution of video data as said first data; and

first decoder means for decoding encoded first video data having high-resolution; and

second decoder means for decoding encoded second video data having low-resolution." (emphasis added)

As understood by Applicant, Suma relates to a digital data recording and reproducing device for recording and reproducing digital video signals having an operation of error detection performed with respect to data with a code word length of M bits for m_1 significant bits. Error concealment is done for each of these error detections.

As understood by Applicant, Otaka relates to an error concealment method of concealing uncorrectable errors when reproducing in a digital signal recording and reproducing apparatus. A part of a record unit determined as an error is replaced by a corresponding part of the corresponding record unit of a previous page to thereby conceal the record unit.

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Applicant respectfully submits that Suma and Otaka, taken alone or in combination, fail to teach or suggest the features of claim 1. Specifically, Applicant submits that there is no teaching or suggestion of a data processing apparatus comprising first decoder means for decoding encoded first video data having high-resolution; and second decoder means for decoding encoded second video data having low-resolution, as recited in claim 1.

None of the other references cited by the Examiner teach or suggest the subject matter recited in claim 1.

Therefore, Applicant respectfully submits that claim 1 is patentable.

For reasons similar to those described above with regard to independent claim 1, claims 7 and 13 are also believed to be patentable.

Therefore, Applicant submits that independent claims 1, 7 and 13 are patentable.

III. DEPENDENT CLAIMS

The other claims are dependent from independent claim 1, discussed above, and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION

In the event the Examiner disagrees with any of the statements appearing above with respect to the disclosures in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate the portion, or portions, of the reference, or references, providing the basis for a contrary view.

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Please charge any additional fees that may be needed, and credit any
overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the
claims in this application are patentable and Applicant respectfully request early passage to issue
of the present application.

Respectfully submitted,

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